

MCC Peace Section Task Force on Women in Church & Society

REPORT

Report 26

July, 1979

Focus on Native Americans

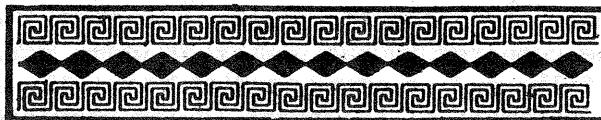
by Betsy Beyler

The suggestion for this issue of the MCC Peace Section Task Force on Women in Church and Society Report was to look at Native American women from a Mennonite perspective, following on an interest to know more about the lives and hopes of our sisters in minority groups in North American and Mennonite society. But Native Americans are not just another minority group, as they are often treated or considered or studied. Native Americans are the original people of North America...the rest of us -- black, white, brown, yellow -- are immigrants. The land and resources of this continent which belonged to the Indians by aboriginal right (a concept of international law), were, to a large extent, given up by Indians in treaties in exchange for certain rights and privileges. It is these rights and privileges that make Native Americans a unique minority group in the United States and Canada. They have a special relationship with the U.S. government, to both their benefit and detriment. In Canada, Indian-government relationships are somewhat different, due both to the nature of treaties and to the laws and form of government developed in Canada.

Given these considerations, I felt it would be useful to do a two-issue Report on the subject of Native American Mennonite women. This issue, the first part, will provide background on what it means to be Native American today -- what is the history behind the current situation. It is written largely from the perspective of white Mennonite women. A future issue will deal with how Native American Mennonite women view themselves and their situation in church and society. See a note elsewhere in the Report on how you can contribute to that issue.

Canadian readers are asked to excuse the U.S. bias in the articles in this issue. An attempt will be made to deal with the Canadian aspects of history and situation of Native Peoples, but this will be incomplete at best and I welcome corrections and additional information.

Betsy Beyler, who assembled materials for this Report, is on the staff of the MCC Peace Section Washington Office, and among other issues, covers Native American affairs.



The early white settlers in North America found the lands inhabited by Indian nations with their established governments, territories, ways of life. Various European powers found it necessary for both physical and political survival to make treaties with Indian nations.

The young -- and rather vulnerable -- government of the United States also made treaties with Indian tribes. Although no one knows the exact number, it is estimated that over 400 treaties were made between Indian tribes and the U.S., approximately 370 of which exist today and are still in effect. Many of the original 13 states and local governments also treated with Indian tribes.

Treaties are international agreements between two or more sovereign entities, and define relationships between those parties. Indian nations, *recognizing the sovereignty of the U.S.*, agreed to give up their aboriginal rights to huge areas that are now part of continental U.S. The U.S. government, *recognizing the sovereignty of these tribal nations*, recognized the right of Indian tribes to control remaining land according to their long-established forms of government and also entered into a *trust relationship* with the tribes.*

Land not ceded by tribes was held by the U.S. government in "trust" for the tribes' use and benefit. Tribes kept certain lands for their use which were tax-exempt. In return for the ceded lands, the U.S. government acknowledged special obligations to Indian people in the form of such services as education, food, and medical care. As a result of this trust relationship, most Indians are U.S. citizens; they are also citizens of the tribal nations which treated with the U.S., which gives them unique rights which other U.S. citizens do not have.

In the years since 1778, when the first U.S.-Indian treaty was signed, the U.S. Congress has acted many times to "clarify" the status of Indian nations and their relationship to the federal government. The U.S. Congress has passed over 1000 laws which deal specifically with Indian tribes or people. Often these acts were an erosion of the treaty-guaranteed rights of Indians; sometimes the Congressional actions were beneficial. Some of the more important are: The Indian Removal Act of 1830 which gave the U.S. President power to move many eastern Indians west by military force (gave rise to the "Trail of Tears", when Cherokees were moved from the Appalachians to Oklahoma); the Act of 1871 which ended treaty-making; the Major Crimes Act of 1885 which gave the U.S. courts the power to try and punish Indians for certain crimes committed within the territory of an Indian nation; the 1887 General Allotment Act; the Indian Citizenship Act of 1924; the Indian Reorganization Act of 1934; House Concurrent Resolution 108; the Indian Civil Rights Act of 1968; and the Indian Self-Determination Act of 1974.

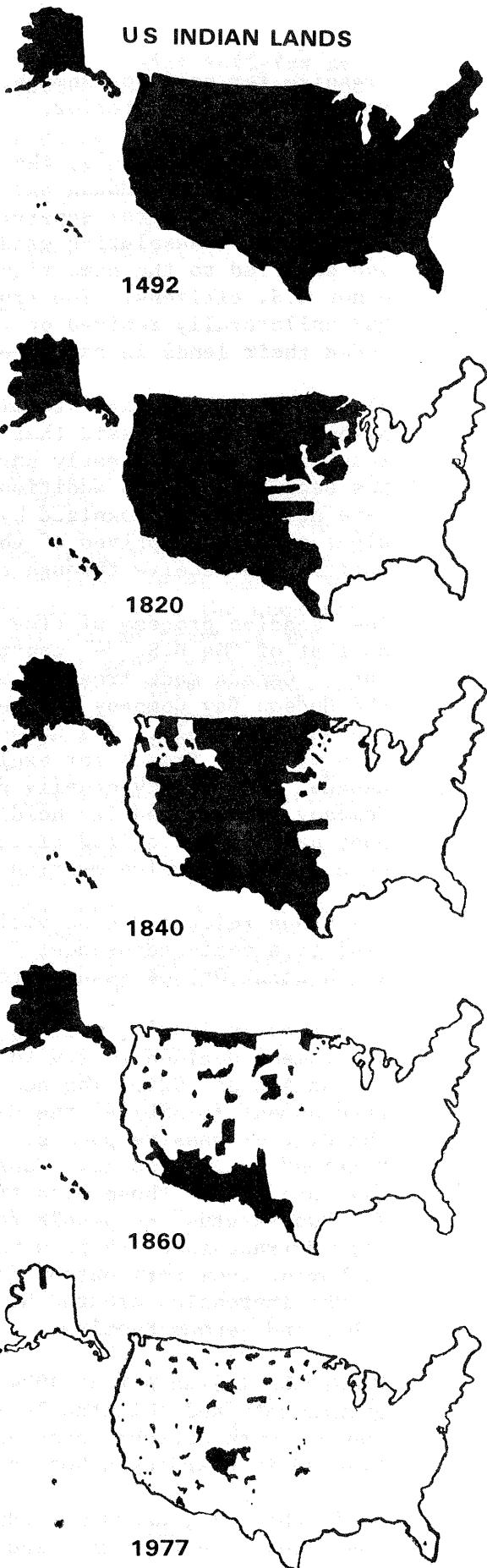
*It is important to note that many of the treaties were signed by tribes under threat of physical force. The long and bloody history of the sweep of white people westward indicates the many instances of near-genocidal attacks by whites on tribal settlements. The number of Indian lives lost in terms of number and proportion of population was immense compared to the number of white settlers who were killed by Indians. (Books, films and other educational mechanisms would have us believe otherwise.) The best estimate of the total Indian population in what is now the U.S. before Europeans came is 10 million. By 1930 that number had shrunk to only 500,000. Today the total U.S. Indian population is ca. 1 million.

By 1871, Indian tribes were viewed as defeated, rather than sovereign, nations, and Congress put an end to treaty making and substituted Congressional agreements. A drive to divide tribal lands into individual units followed. In 1887 Congress passed the General Allotment Act, which was based on the belief that "individual ownership of property is one of the most civilizing agencies." Individual plots were carved out of the treaty-held lands and distributed to individual tribal members during the period 1890-1930. Tribal land not allotted to individuals was regarded as "surplus" and was bought cheaply by the federal government and made available to non-Indians. Many Indians, not familiar with life-styles based on private ownership of land, and constantly beleaguered by poverty, sold their allotments to land-hungry non-Indians. During this period, there was something like a 60 per cent reduction in Indian land holdings in the U.S. The series of maps to the right shows how the Indian land base in the U.S. has been eroded over the past 500 years.

During the same period, tribal life also eroded. A Senate report in 1969 stated that, "during the 1920's, corruption, exploitation, mismanagement and general failure of our Indian programs became a national scandal." The extent of that scandal is only now becoming visible, as Indians are realizing the extent to which their culture and way of life was damaged or destroyed. In the late 1800's and early 1900's efforts were made to "civilize" the Indians according to white customs -- to assimilate them. Tribal customs were discouraged or forbidden, speaking native languages often prohibited, and Indian children were herded off to boarding schools where they would be far away from the influence of their family and tribes. In many cases, the Christian church supported U.S. government policy decisions and even helped to carry them out, under the banner of saving Indian souls. For example, the boarding schools were often run by religious groups. Missionaries to the Indians were among the first missionaries ever commissioned by U.S. Mennonites.

The 1934 Indian Reorganization Act (IRA) was a result of a comprehensive study of Indian affairs that had been commissioned in 1926 out of concern for the havoc caused by U.S. Indian policy. The IRA ended allotment of tribal lands and provided for restoring remaining surplus land to tribal ownership. Tribes which accepted the Act were able to form corporations for economic development and to

US INDIAN LANDS



organize for self-government, among other things -- with the approval of the Secretary of the Interior.

But in the early 1950's, the policy changed again. House Concurrent Resolution 108, passed by the House and Senate, ushered in the era of "termination", or the withdrawal of federal supervision of and responsibility for the welfare of U.S. Indians. The Resolution said that Indians were to be made subject to the same laws and entitled to the same rights, prerogatives, privileges and responsibilities as other U.S. citizens. The trust relationship was scrapped. The U.S. government had unilaterally reneged on the obligations it had accepted by treaty when Indians ceded their lands in exchange for the special relationship.

Almost 100 tribes were "terminated" before this policy was reversed by President Nixon in 1970. He said that termination should be rejected because, "the practical results have been clearly harmful in the few instances in which termination actually has been tried." In addition to these terminated tribes, 130 other tribes which have never been recognized by the federal government because of bureaucratic oversight also are deprived of the many federal services that they, as Indians, are entitled to receive through the trust relationship.

The Canadian process of treaty making was carried on for the same purposes and goals as that of the U.S. -- control of lands and resources to serve the expansion westward. Canada made treaties mostly south of the 56th parallel. North of that line the Hudson Bay Company had been given a colonial charter to the lands and lives of the Native People. The Hudson Bay Company was the arm of England in its competition with the French for exploitation of the fur trade in the territory now called Canada. England eventually gained the monopoly, and in the 1800's the Hudson Bay Company transferred its holdings to the English Crown. Since the Hudson Bay Company had never acquired title (except by royal charter) to these lands, no treaties were ever made which mention title.

The Crown relegated supervision of the millions of acres removed from Native control to a semi-independent Canada through the British North American Act, at which point Ottawa assumed responsibility for Native destiny in Canada.

In the early 1900's, when similar efforts were underway in the U.S., the Canadian government decided to try to assimilate the Native Americans, through the revised Indian Act of 1924. The new Act gave the Department of Indian Affairs and Northern Development (DIAND) -- the Canadian equivalent of the Bureau of Indian Affairs in the U.S. -- massive powers. The DIAND is to be guardian of the more than 1 million "status" Native People. Canadian Native Americans are considered in five categories: (1) "Status" -- those with treaty and land rights; (2) "Metis" -- mixed race; (3) "Non-status" -- people recognized as Indian but without treaty or land rights; (4) "Enfranchised" -- persons who have given up "status" by selling their rights or having them terminated; (5) "Eskimo" -- people of the far north who, contrary to the impression created by separate categorization, do have a relationship to other indigenous peoples.

Under the Indian Act of 1924, the Canadian government abolished traditional Indian governments and (militantly in some instances) established "elective systems." Indians were decreed Canadian citizens. DIAND's grip over Indian youth -- reflected in boarding school educations and forced integration -- was tightened.

As in the U.S., Canadian Indian lifestyles have changed drastically since the 1930's. Their governments, lands and resources were controlled by DIAND. They moved from

being a self-sufficient people into the welfare state. Family life suffered as children were taken far away from their tribes for education and "assimilation."

In 1969, DIAND released the federal government's "White Paper Policy on Native Affairs." Similar to House Con. Res. 108 in the U.S., it proposed that Indians' special status be phased out, moved Indians into the category of "just another cultural minority" in Canada. The White Paper also called for moving Indian responsibility from Ottawa to the provincial level. Strong opposition to the White Paper resulted in the shelving of the policy, however.*

The Current Situation

Challenges to Indian sovereignty and the validity of Indian treaties are surfacing across the U.S. and Canada. U.S. Congresspeople from "Indian country" (states with Indian reservations or large Indian populations) are feeling backlash pressure. The backlash has originated with non-Indians who live on or near reservations. Due to the haphazard nature of federal Indian policy, the trust relationship and Native American sovereignty are not understood and many groups view the question as one of unequal rights and responsibilities. They want Indian treaties abrogated ("they are only old pieces of paper") and tribal governments stripped of their jurisdiction. Many non-Indians stand to lose privileges their forebearers gained, benefitting from the fragmented federal Indian policy, if Indian tribes succeed in being fully recognized according to their treaties. Such things as land and valuable natural resources under it (water, uranium, coal, oil and other minerals) and hunting and fishing rights are part of the high stakes in this struggle.

The problem needs to be seen not as "special" treatment of Indians (who do have special rights guaranteed by treaty) or as Indian "militancy" (the vast majority of Indian efforts to regain rights lost through shady and illegal treatment by authorities have been made patiently through the established legal system -- the media have focused on a militant minority). The problems today between Indians and non-Indians are a result of negligent U.S. policy and an uninformed citizenry, and the answer seems two-fold:

- (1) The U.S. must recognize and guarantee the superceding rights which Indian people have through treaty and negotiation, and
- (2) Non-Indians affected adversely by such actions should be compensated, so that the "sins of the parents" are not visited on their heirs.

In spite of the potential for tremendous wealth, in the wise development of natural resources on Indian lands, Indian people rank at the bottom of virtually every social indicator in the U.S.; the statistics in Canada are undoubtedly similar. In the U.S., Native Americans have the highest infant mortality rate, lowest life expectancy (65 years as compared to 71 for total U.S. population), lowest educational level, lowest per capita income (ca. 3/5 of the national per capita income), and poorest transportation, medical and housing facilities. On reservations, the Indian unemployment rate is 7-8 times the national average. Poverty and poor living conditions make Native Americans susceptible to a much higher rate of many diseases than most Americans. Up to 25 per cent of Indian children in both urban and

*Thanks for much of this information on the Canadian aspect to Akwesasne Notes, Vol. 10, No. 1

reservation settings are separated from their natural parents and raised in (usually non-Indian) foster homes or institutions. The suicide rate for Indians is twice the national average -- but in the 15-24 year old bracket it is four times the national rate. The Indian arrest rate is 3 times higher than that of American blacks and 10 times higher than for whites. Unless we assume that Indians are racially more prone to the death, disease, and poverty recited in the above litany, we must admit that the situation has political and economic causes.

Sterilization Abuse

For many Indian women, sterilization abuse is a growing and critical issue. For many Native Americans, the increasing forced and uninformed sterilizations of Native people is tantamount to a campaign of genocide against Native Americans. The extent of sterilization of Native American women is not fully known -- few studies have been done; Native American women are reluctant to discuss sterilization and, in fact, many women do not discover until months or years later what has really been done to them; hospital records are often incomplete or "lost". Estimates are that between 30-40 per cent of Native American women of child-bearing age have been sterilized and 10 per cent of the men. Not all of these sterilizations were forced or uninformed, but a 1976 U.S. government study of Indian Health Service sponsored sterilizations turned up thousands of violations of "informed consent" procedures. A survey done on the Northern Cheyenne Reservation following the government study found that within a 3-year period in that area, 56 women over 30 had been sterilized. There were only 165 women in the 30-44 age group in the survey area!

In 1974 the Department of Health, Education and Welfare (HEW) provided firm guidelines for sterilization, called "informed consent" regulations. Numerous violations of these regulations have been discovered in government operated hospitals and clinics which sterilized Indian women. "Informed consent" has long been a thorny issue. How much information should be provided before a woman is truly informed? What if she cannot read or what if the information is presented in a language other than her primary language? What if a non-assertive woman is influenced by the widespread--but erroneous--belief that welfare and other benefits will be cut off if she refuses sterilization? How fully does any woman believe

It seems likely that not many Native American women receive this Report. For you who do, the first four of the following questions invite your response by letter or tape for a follow-up issue of this report on Native American Mennonite Women. If you are a non-Indian and have had close experience with Native American women, you may want to respond to the latter three questions--or urge your Native American Mennonite women acquaintances to respond to the first four questions:

- 1) Is feminism an issue for Native American Mennonite women?
- 2) What do you, as a woman, value in your Native American heritage? In your Mennonite faith?
- 3) What do you see as points of identification -- and points of conflict/difference between Mennonites and Native Americans.
- 4) What important things about the present day situation of Native Americans do you want Mennonite women to know?
- 5) Do you feel more able to relate to Native Americans as a woman?

Please send your comments on these questions--as well as on the contents of this Report to: Betsy Beyler, MCC, 100 Maryland Ave. NE, Washington, D.C. 20002, U.S.A.

what a doctor tells her about her reproductive organs, whether they should be removed or that she definitely can't bear (more) children and should be sterilized--especially if there is no access to a "second opinion"? ^{RECENT}

Sterilization of the poor has long been a favorite method of the various agencies which promote population control. Since 1966, HEW has been funding sterilization, promoting it over other forms of birth control. Some observers see racism behind sterilization policies, and cite statistics in other U.S. population groups.



Akwesasne Notes

According to a 1970 study, 20 per cent of married Black women had been sterilized, three times the percentage of white married women. At least 35 per cent of women of child bearing age in Puerto Rico have been sterilized through programs largely funded by the U.S. government. (In 1945 a bill in Congress calling for the sterilization of all Japanese-American women was defeated by one vote!) It appears, whatever the basic motivation, that sterilization of poor and minority women is seen as a major weapon in the "war on poverty", based on the logic that too many people cause poverty, and women cause too many people. Careful study, both in North American and other world situations, has tended to show that the overall economic system creates poverty, and that long-term self-help programs and better health and educational benefits would help alleviate the symptoms of poverty as well as lead to changes in underlying factors.

Related Resources

Two good packets, with helpful reprints and extensive bibliographies, are available, and only a brief listing will follow. The two packets are:

- * Justice for Indians Resource Material, from U.S. Ministries, Mennonite Central Committee, 21 S. 12th St., Akron, PA 17501.
- * Packet on Native Americans & Bibliography, from Fellowship of Reconciliation, Box 270, Nyack, NY 10960.

Books:

Borland, When Legends Die (Bantam, 1963); Brown, Bury My Heart at Wounded Knee (Bantam, 1971); Byler, American Indian Authors for Young Readers (NY Assn. for Amer. Indian Affairs, 1975); Cahn, Our Brother's Keeper (New Amer. Lib., 1970); Deloria, Behind the Trail of Broken Treaties (Delta, 1974), Custer Died for Your Sins (MacMillan, 1969); God is Red (Grosset & Dunlap, 1973), Of Utmost Good Faith (Bantam, 1971), We Talk, You Listen (MacMillan, 1970); Henry, Textbooks and the American Indian (Indian Historian Press, 1970); Hill, Hanta Yo; Josephy, The Indian Heritage of America (Bantam); Lame Deer & Erdoes, Lame Deer, Seeker of Visions (Simon & Schuster); Neihardt, Black Elk Speaks (U. of Nebraska Press, 1962); Steiner, The New Indians (Dell, 1968); Waldo, Sacajawea; Washburn, Red Man's Land, White Man's Law (Scribners).

Newspapers:

Akwesasne Notes, Mohawk Nation, via Roosevelttown, NY 13683
Wassaja, 1451 Masonic Avenue, San Francisco, CA 94117

Native American Statement

On November 3, 1978, Mennonite Central Committee's U.S. Ministries adopted the following Native American Statement. It is reprinted in this Report to give something of the feel for the attitudes which can now guide our relationships to Native American sisters and brothers.

* * * *

The goal of this statement is to give direction to the development of MCC program with Indians in the U.S. It is also available for use by Mennonite and Brethren in Christ constituency as a study paper.

Native American concerns are significant to MCC U.S. Ministries (USM). The purpose of this statement is to clarify MCC USM's understanding of issues confronting Indian people today and to suggest general program directions. MCC USM recognizes itself as part of a church tradition which has not always understood and appreciated the cultural and spiritual heritage of Indian people. Recognizing these failures, we affirm cultural diversity and trust that respect will grow as we learn more about their unique traditions. This statement is presented as a first step toward building mutual understanding and respect.

MCC USM recognizes that Indian people have traditionally lived by a "spiritual" value system that is not adequately protected in American society. This value system is basic to Native American understanding of life and relation to the physical world and reveals itself in the sense that all the world's resources are for the common good. One only takes from the earth what one truly needs. Into this communal system have intruded more aggressive Western concepts. American society has taken from Native Americans the opportunity to live in harmony with nature and has forced them

into competition with neighbors for earth's resources.

The church and society has imposed the American value system on Indians, in many cases in direct contradiction to their own. Since Native culture and spirituality are inseparable, this violates the integrity of Native Americans by robbing them of their most basic freedom--to live in a spiritual world. It is to this and other dilemmas that MCC USM seeks to become a Christian resource. We identify the following concerns.

First, we must recognize our own implication in this dilemma. We are guilty of stereotyping and not adequately appreciating diverse religious and cultural expressions. The Gospel is not bound by cultural values, and must find its unique expression in the traditions of all people. We must begin to listen, examine our attitudes and learn through dialogue with Native Americans.

Second, justice is a primary concern as part of MCC USM's commitment to participate in the call of Christ to build the new Kingdom. The new Kingdom includes insuring people basic human rights and the resources to meet needs within our own country. Additionally, the U.S. has often been remiss in living up to the commitments made in over 400 treaties made with sovereign Indian nations. The rights reserved by the Indian nations in these treaties have often been violated. MCC USM feels the United States government should fulfill its treaty obligations and commitments.

Third, the Indian experience in America, since the arrival of European settlers, includes broken families, under-employment, substandard health and medical services, inadequate housing and social institutions that conflict with Indian cultural traditions. Programs under Indian direction that speak to the above concerns are affirmed by MCC U.S. Ministries.

Fourth, Indian governments are re-asserting their role in planning their own futures in the modern social and economic context. MCC USM does not attempt to speak on behalf of Indian people, but chooses to support and assist tribes as they meet their goals.

MCC USM recognizes that no one individual, group or organization speaks for all Indian tribes and people. Each tribe and Indian group has its own set of goals and priorities. MCC USM programs will attempt to reflect an awareness of individual tribal differences. It is the hope of MCC USM that Native American programs will enhance Mennonite and Brethren in Christ awareness of Indian people with regard to tribal individuality, regional needs--both urban and rural--and individual needs.

Fifth, the needs of tribes not federally recognized are great. MCC has an active commitment to unrecognized tribes in the U.S. MCC USM affirms the need for unrecognized tribes to re-establish their identity and receive legislative recognition with entitlement to services. The federal government will need to provide increased funds for unrecognized tribes, so services are not granted them at the expense of already recognized tribes.

Sixth, many Native Americans have left the reservation for urban or other off-reservation communities. These off-reservation communities of Indians face complex social problems. Off-reservation Indians face loss of tribal identity, inadequate vocational training and inadequate access to social and medical services. We want to support and be involved with increased efforts to provide adequate social, physical and spiritual resources for these persons.

Seventh, certain non-Indians may experience loss from some governmental attempts to correct long-standing injustices. MCC USM encourages efforts to work through reasonable solutions to years of injustice.

MCC USM is prepared to respond to invitations from Indian reservations, communities and agencies as resources are available. MCC services that Indian people may request, if desired

and needed, include MCC programs relating to agriculture, health, education, family services as well as advocacy and research as MCC has skilled personnel available.

MCC USM approaches this work in a spirit of humility and with a desire for continuing dialogue and learning. As Jesus met people's needs, so MCC USM desires to work with Indian people in a reciprocal manner. MCC USM seeks to support in a creative way the rights of Indian people to justice, equity, opportunity and cultural spiritual heritage.

Verbs

Winifred Beechy, Goshen, Indiana, has accepted a part-time position as peace and social concerns staff person for the Mennonite Church, replacing Hubert Schwartzenruber.

Emma Richards, Lombard, Illinois, will present one of the main addresses at the Mennonite Church General Assembly in Waterloo, Ont. She will speak on "Witnessing and Discipling" in the evening of August 16.

News

Over 140 persons attended a Women in the Life of the Church seminar at Conrad Grebel College, Waterloo, Ontario in early March. Perry and Elizabeth Yoder, Newton, Kansas, directed the Biblical studies on "In the Early Church: The Gospel and Women", "In Paul's Church: The Gospel and Social Change", and "In Today's Church: The Gospel and Sex Roles". Small groups processed the ideas presented. In addition to the Yoders' input, various persons shared anecdotes about work with women in church life.

The participants (of which 39 were men) were primarily Mennonites from southern Ontario. Wide publicity had been given to the seminar by the Adult Studies program of Conrad Grebel College, sponsor of the event. Many congregations and WMSC groups sent delegates. Doris Kramer, moderator of the sessions, initiated the planning of the seminar after she attended a Women in Ministry meeting in Colorado in 1977.

MENNONITE WOMEN GRADUATES SOUGHT

Names and resumes of Mennonite and Brethren in Christ women who hold graduate degrees are being sought for a directory to be compiled by the Task Force on Women. The project was suggested to the task force by members of the Mennonite Council of Academic Deans, which is seeking ways to increase the representation of women and minorities on the various college faculties.

The Task Force on Women, which seeks to broaden the participation of women in church structures and church-related institutions, will make the complete list available to the various Mennonite and Brethren in Christ colleges, seminaries and other interested church bodies.

The directory will include women who are interested in being considered potential candidates for faculty and administrative positions at Mennonite colleges and seminaries, as well as women who are open to serving in other capacities, such as guest lecturers, chapel or convocation speakers and class resource persons.

Interested women should send their name and address and a complete resume to Peace Section Task Force on Women, 21 S. 12th Street, Akron, PA 17501, before December 1, 1979.

The Report is a bi-monthly publication of the MCC Peace Section Task Force on Women in Church And Society. Correspondence should be sent to Gayle Gerber Koontz, 27 Fairlawn St., Everett, MA 02149.

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TASK FORCE ANNOUNCES FUND DRIVE

Members of the Task Force on Women have agreed to raise funds to enable more women to attend the November 2-4, 1979 Women in Ministry conference at Associated Mennonite Biblical Seminary, Elkhart, Indiana. The conference will strive to bring more women into leadership positions in Mennonite churches.

This is the 4th meeting of Women in Ministry, an inter-Mennonite group which promotes the involvement of women in church structures and leadership positions, supports women in the development of their talents and strengthens the self-concept of Mennonite women. Diane MacDonald, Goshen College theology professor, and Barbara Prasse, professor and dean of students at McCormick Theological Seminary, have been chosen as resource persons.

Funds will be distributed according to these priorities: women in ministry or preparing for church leadership, Mennonite Brethren women, Mennonite women from ethnic minority groups, women travelling a long distance.

Send contributions to MCC, Akron, PA 17501 designated "Women in Ministry travel fund." To apply for a travel subsidy, write to Peace Section Task Force on Women, Akron, PA 17501.

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